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09/854,764	05/14/2001	Carlos A. Hoyos		8884

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EXAMINER

MISLEH, JUSTIN P

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/854,764	Applicant(s) HOYOS, CARLOS A.	
	Examiner Justin P. Misleh	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Arguments Regarding Claims 1 – 18

1. Applicant's arguments filed October 6, 2006 have been fully considered but they are not persuasive.

Nonanalogous Art

2. Applicant initially argues, “The Examiner’s use of Viney is not within the field of Applicant’s endeavor and is therefore nonanalogous art” and also argues, “Viney is not reasonably pertinent to the particular problem with which Applicant is involved, i.e. capturing difficult pictures from movable platform such as a helicopter.”

3. The Examiner respectfully disagrees with Applicant’s position. In paragraph 004 of the specification, Applicant expressly indicates a need “for operating remote cameras and other imaging devices with a minimum of operators and equipment.” Likewise, Viney analogously states, “it is often desirable to reduce the number of people required to operate the surveying equipment ... what is needed is a total station based surveying system which not only can be operated by a single user, but also provides the user with greater freedom of movement ... another aspect of the present invention is an apparatus for remotely controlling a surveying device that has a camera for acquiring real-time images” (see column 1, lines 20 – 25, 53 – 58 and 65 – 67, respectively).

4. According to MPEP §2141.01(a) [R-3], “In order to rely on a reference as a basis for rejection of an applicant’s invention, the reference must either be in the field of applicant's

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endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned.’ In re Oetiker, 977 F.2d 1443, 1446, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992).” In this case, Viney is clearly reasonably pertinent to the particular problem with which Applicant is concerned.

No Motivation to Combine

5. Applicant initially argues, “The mere fact that Tyler uses a gyroscope means that a remote control cannot be used, because movement caused by a gyroscope is automatic and does not require a user to control the movements of a camera or imaging device,” and also argues, “there is specifically no motivation in Tyler to combine a remote control imaging system with an imaging platform that is capable of controllable motion about three orthogonal axis.”

6. The Examiner respectfully disagrees with Applicant’s position. Tyler’s invention is directed to gyroscopically stable imaging platform that is capable of movement in plurality of directions including the three orthogonal axes as claimed (see column 1, line 62 – column 2, line 9). The gyroscopic aspect of Tyler’s invention is not for the purposes of issuing/executing the panning and tilting movement of the imaging platform; rather it is for stabilizing the platform when performing such movements (see column 7, line 66 – column 8, line 43). In support thereof, Tyler clearly indicates the “aiming or viewing” of the imaging platform (50) is remotely controlled from with the use of a “video monitor (not shown) mounted on the passenger compartment control console” (see column 6, lines 47 – 56). Thus, the Examiner maintains that incorporating the teachings of Tyler in its entirety would provide Viney with the advantage of a gyroscopically stable image platform with a greater degree of movement” (see Non-Final Office Action, paragraph spanning pages 11 and 12; mailed April 6, 2006).

Official Notice

7. Applicant traverses the Examiner's use of official notice by stating, "a television tuner would not be well-known nor would it be expected in the art of surveying to provide for entertainment when this highly technical equipment is not in use." Applicant requests the Examiner provide factual evidence to support the Official Notice "that both the concepts and advantages of providing a video display comprising a television tuner are well known and expected in the art as means to provide entertainment to the remote control operator when the imaging device is not in use" (see Non-Final Office Action, page 14).

8. The Examiner respectfully disagrees with Applicant's position. First, one with ordinary skill in the art would be one with ordinary skill in the remote control for controlling remote devices art as Viney is directed to a remote control for controlling a remote imaging device. Applicant has respectfully erroneously construed the art in which the present invention and Viney are directed to.

9. Second, the Examiner maintains that in the remote control for controlling remote devices art, one with ordinary in that art at the time the invention was made, would have been aware of and expected a remote control device comprising a video display with a television tuner for purposes of entertaining the user of the remote control device. In support of the Examiner's assertions, the Examiner submits Allport (US 6 097 441) discloses, as shown in figures 1 and 2 and as stated in columns 6 (lines 1 – 20), 9 (lines 19 – 35 and 45 – 53), and 10 (line 66) – 11 (line 9), a remote control device (10) having a video display (15) wherein the remote control device (10) may further comprising a base station (75) to receive and display video signals from received from a TV broadcast. Furthermore, Allport indicates that integrating a broadcast station

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into the remote control serves to entertain the user of the remote control device (see column 4, line 12 – column 5, line 4).

Arguments Regarding Claims 19 – 48

10. Applicant's arguments with respect to Claims 19 – 48 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 1 – 48** are rejected under 35 U.S.C. 103(a) as being unpatentable over Viney et al. in view of Tyler.

13. For **Claim 1**, Viney et al. disclose, as shown in figures 1 – 4 and as stated in columns 2 (lines 66 and 67), 3 (lines 16 – 29, 43 – 45, and 56 – 58), 4 (lines 10 – 23 and 63 – 67), 5 (lines 1 – 4 and 12 – 67), and 6 (lines 28 – 32, 44 – 48, and 55 – 60), a remote control imaging system comprising:

an imaging device (11) supported by an imaging platform (1); and

a remote control (3) having a video display (20) for displaying the output of the imaging device (11), one or more imaging platform motion controls (input unit 21), at least one of iris, zoom, and focus controller (32) for the imaging device (11), and a camera control handle (aiming control 31).

While, Viney et al. disclose that the imaging platform (1) is capable of controllable motion about two orthogonal axes (see column 5, lines 1 – 4), Viney et al. do not disclose wherein the imaging platform is capable of controllable motion about three orthogonal axes.

On the other hand, Tyler also discloses an imaging platform. More specifically, Tyler discloses, as shown figure 1 and as stated in columns 4 (lines 40 – 45 and 64 – 68) and 5 (lines 1 – 18), controllably moving the imaging platform (10) about a vertical axis; controllably moving the imaging platform (10) about a horizontal axis (22) that is orthogonal to the vertical axis; and controllably moving the camera about a second horizontal axis (20) that is orthogonal to the horizontal axis (22) and the vertical axis.

As stated in columns 1 (lines 61 – 65) and 2 (lines 20 – 25), at the time the invention was made, one with ordinary skill in the art would have been motivated to include an imaging platform that is capable of controllable motion about three orthogonal axis, as taught by Tyler, in the remote control imaging system, disclosed by Viney et al., as a means to provide a gyroscopically stable imaging platform with a greater degree movement. Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to have included an imaging platform that is capable of controllable motion about three orthogonal axis, as taught by Tyler, in the remote control imaging system, disclosed by Viney et al.

14. As for **Claim 2**, Viney et al. disclose, as shown in figure 3 and as stated in column 5 (lines 18 – 26 and 48 – 63), the system of Claim 1 further comprising: a camera system control (13, 15, 16, 22, 23, and 24) for providing wireless interconnection (8) between the imaging device (11) and the remote control (3), the camera system control having multiple independent channels of operation (circuits connected to control logic 13 and circuits connected to control

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logic 24) for at least one of iris, zoom, and focus controller (32), and proportional control outputs to the imaging device (11).

15. As for **Claim 3**, Viney et al. disclose, as shown in figure 3, the system of Claim 2 further comprising: a camera interface (connection between camera 11 and control logic 13) for connecting an imaging device (11) and a camera system control (13).

16. As for **Claim 4**, Viney et al. disclose, as shown in figure 1 and as stated in columns 4 (lines 63 – 67) and 5 (lines 1 – 4), the system of Claim 1 further comprising: a universal adapter (connection between the tripod and the imaging platform 1) for connecting the imaging platform (1) to a variety of support devices (tripod and L-bracket, clearly shown in figure 1).

17. As for **Claim 5**, Viney et al. disclose, as shown in figure 3, wherein the remote control (3) further comprises a video receiver interface (22, 23, 24, and 27).

18. As for **Claim 6**, Viney et al. disclose, as shown in figure 3, wherein the video receiver interface (22, 23, 24, and 27) further comprises an external video receiver interface (23). The antenna (23) is an interface to receive external video.

19. As for **Claim 7**, Viney et al. disclose, as shown in figure 3, wherein the video receiver interface (22, 23, and 24, and 27) further comprises multiple video receivers, in a series/parallel combination circuit. The video receiver interface consists of antenna (23), transceiver (22), control logic (24), and video chip (27), which is series/parallel combination circuit.

20. As for **Claim 8**, Viney et al. disclose, as shown in figure 3 and as stated in column 5 (lines 27 – 33), the video receiver interface (22, 23, and 24, and 27) further comprises an exchangeable video receiver (exchangeable for software implementation rather than hardware implementation).

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21. As for **Claim 9**, Viney et al. disclose, as shown in figure 3 and as stated in column 5 (lines 58 – 61), wherein the imaging platform motion control (input unit 21) further comprises a joystick (31).

22. As for **Claim 10**, Viney et al. disclose, as shown in figure 3 and as stated in column 5 (lines 58 – 61), wherein the imaging platform motion control (input unit 21) further comprises a selectable response speed controller (31). The imaging platform motion control (31) may be a joystick, trackball, touchpad, or any other suitable device, all of which whose response speed is directly proportional to the user's (selectable) operational speed (speed at which the user operates the motion control).

23. As for **Claim 11**, Viney et al. disclose, as stated in column 5 (lines 64 – 67), wherein the at least one of iris, zoom, and focus controller (32) further comprises a corresponding fine adjustment controller.

24. As for **Claim 12**, Viney et al. disclose, as shown in figure 3, wherein the remote control (3) further comprises an independent power source (26).

25. As for **Claim 13**, Viney et al. disclose, as shown in figure 3, wherein the independent power source (26) further comprises one or more batteries (26).

26. As for **Claim 14**, Viney et al. disclose, as shown in figure 3 and as stated column 5 (lines 34 – 43), wherein the video display further comprises a video monitor.

27. As for **Claim 15**, Viney et al. disclose a video display (20); however, Viney et al. do not disclose wherein the video display (20) comprises a television tuner.

Therefore, Official Notice (MPEP § 2144.03) is taken that both the concepts and advantages of providing a video display comprising a television tuner are well known and

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expected in the art. At the time the invention was made, it would have been obvious to one with ordinary skill in the art to have included a video display comprising a television tuner in the remote control device of Viney et al. for the advantage providing entertainment to the remote control operator when the imaging device is not in use.

28. As for **Claim 16**, Viney et al. disclose, as shown in figures 3 and 4 and as stated in column 6 (lines 44 – 67), wherein the remote control (3) further comprises a programming display (20) and control. The display (20) serves as a video display for displaying received images and as a control display for adjusting the field of view.

29. As for **Claim 17**, Viney et al. disclose, as stated in columns 4 (lines 5 – 10) and 7 (lines 26 – 28), an ob-board communication package (22 and 23) allowing interaction between a remote control operator (at 3) and other personnel (at 1). As stated, a user may be at the imaging platform adjusting the imaging device and a user may be at the remote control operating the imaging platform.

30. As for **Claim 18**, Viney et al. disclose, as shown in figure 3 and as stated in column 5 (lines 18 – 26), wherein the remote control further comprises a wireless connection to at least one of the imaging device (11) or imaging platform (1).

31. For **Claim 19**, Viney et al. disclose, as shown in figures 1 – 4 and as stated in columns 2 (lines 66 and 67), 3 (lines 16 – 29, 43 – 45, and 56 – 58), 4 (lines 10 – 23 and 63 – 67), 5 (lines 1 – 4 and 12 – 67), and 6 (lines 28 – 32, 44 – 48, and 55 – 60), a remote control (3) comprising:

a video display (20) for displaying the output of an imaging device (11);

one or more imaging platform motion controls (any one or combination of aiming 31, focus 32, trigger 33, and/or alphanumeric 34);

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at least one of iris, zoom, and focus controller (32) for the imaging device; and
a camera control handle (aiming control 31) having one or more camera functions (see explanation below).

Viney's total station is inoperable without the attached video camera (see column 2, line 66 – column 3, line 29). Viney indicates that the aiming control (31) is used to move the total station such that the total station is aligned with the target image captured by the video camera (see column 6, lines 50 – 54). Clearly, the aiming control (31) of the RCVU (3) functions as the pan and tilt control of the video camera (11) – thus, the aiming control (31) controls one or more camera functions as claimed.

While, Viney et al. disclose that the imaging platform (1) is capable of controllable motion about two orthogonal axes (see column 5, lines 1 – 4), Viney et al. do not disclose wherein the imaging platform is capable of controllable motion about three orthogonal axes.

On the other hand, Tyler also discloses an imaging platform. More specifically, Tyler discloses, as shown figure 1 and as stated in columns 4 (lines 40 – 45 and 64 – 68) and 5 (lines 1 – 18), controllably moving the imaging platform (10) about a vertical axis; controllably moving the imaging platform (10) about a horizontal axis (22) that is orthogonal to the vertical axis; and controllably moving the camera about a second horizontal axis (20) that is orthogonal to the horizontal axis (22) and the vertical axis.

As stated in columns 1 (lines 61 – 65) and 2 (lines 20 – 25), at the time the invention was made, one with ordinary skill in the art would have been motivated to include an imaging platform that is capable of controllable motion about three orthogonal axis, as taught by Tyler, in the remote control imaging system, disclosed by Viney et al., as a means to provide a

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gyroscopically stable imaging platform with a greater degree movement. Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to have included an imaging platform that is capable of controllable motion about three orthogonal axis, as taught by Tyler, in the remote control imaging system, disclosed by Viney et al.

32. For **Claim 34**, Viney et al. disclose, as shown in figures 1 – 4 and as stated in columns 2 (lines 66 and 67), 3 (lines 16 – 29, 43 – 45, and 56 – 58), 4 (lines 10 – 23 and 63 – 67), 5 (lines 1 – 4 and 12 – 67), and 6 (lines 28 – 32, 44 – 48, and 55 – 60), in a conventional arrangement for remotely operating an imaging device (11) and an imaging platform (1), including a plurality of operators and operating equipment (1 and 3), wherein the improvement consists of:

a remote control (3) having a video display (20) for displaying the output of the imaging device (11), one or more imaging platform motion controls (any one or combination of aiming 31, focus 32, trigger 33, and/or alphanumeric 34), at least one of iris, zoom, and focus controller (32) for the imaging device (11), and a camera control handle (aiming control 31) having one or more camera functions (see explanation below).

Viney's total station is inoperable without the attached video camera (see column 2, line 66 – column 3, line 29). Viney indicates that the aiming control (31) is used to move the total station such that the total station is aligned with the target image captured by the video camera (see column 6, lines 50 – 54). Clearly, the aiming control (31) of the RCVU (3) functions as the pan and tilt control of the video camera (11) – thus, the aiming control (31) controls one or more camera functions as claimed.

While, Viney et al. disclose that the imaging platform (1) is capable of controllable motion about two orthogonal axes (see column 5, lines 1 – 4), Viney et al. do not disclose wherein the imaging platform is capable of controllable motion about three orthogonal axes.

On the other hand, Tyler also discloses an imaging platform. More specifically, Tyler discloses, as shown figure 1 and as stated in columns 4 (lines 40 – 45 and 64 – 68) and 5 (lines 1 – 18), controllably moving the imaging platform (10) about a vertical axis; controllably moving the imaging platform (10) about a horizontal axis (22) that is orthogonal to the vertical axis; and controllably moving the camera about a second horizontal axis (20) that is orthogonal to the horizontal axis (22) and the vertical axis.

As stated in columns 1 (lines 61 – 65) and 2 (lines 20 – 25), at the time the invention was made, one with ordinary skill in the art would have been motivated to include an imaging platform that is capable of controllable motion about three orthogonal axis, as taught by Tyler, in the remote control imaging system, disclosed by Viney et al., as a means to provide a gyroscopically stable imaging platform with a greater degree movement. Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to have included an imaging platform that is capable of controllable motion about three orthogonal axis, as taught by Tyler, in the remote control imaging system, disclosed by Viney et al.

33. As for **Claims 20 and 35**, Viney et al. disclose, as shown in figure 3, wherein the remote control (3) further comprises a video receiver interface (22, 23, 24, and 27).

34. As for **Claims 21 and 36**, Viney et al. disclose, as shown in figure 3, wherein the video receiver interface (22, 23, 24, and 27) further comprises an external video receiver interface (23). The antenna (23) is an interface to receive external video.

35. As for **Claims 22 and 37**, Viney et al. disclose, as shown in figure 3, wherein the video receiver interface (22, 23, and 24, and 27) further comprises multiple video receivers, in a series/parallel combination circuit. The video receiver interface consists of antenna (23), transceiver (22), control logic (24), and video chip (27), which is series/parallel combination circuit.

36. As for **Claims 23 and 38**, Viney et al. disclose, as shown in figure 3 and as stated in column 5 (lines 27 – 33), the video receiver interface (22, 23, and 24, and 27) further comprises an exchangeable video receiver (exchangeable for software implementation rather than hardware implementation).

37. As for **Claims 24 and 39**, Viney et al. disclose, as shown in figure 3 and as stated in column 5 (lines 58 – 61), wherein the imaging platform motion control (any one or combination of aiming 31, focus 32, trigger 33, and/or alphanumeric 34) further comprises a joystick (31).

38. As for **Claims 25 and 40**, Viney et al. disclose, as shown in figure 3 and as stated in column 5 (lines 58 – 61), wherein the imaging platform motion control (any one or combination of aiming 31, focus 32, trigger 33, and/or alphanumeric 34) further comprises a selectable response speed controller (31). The imaging platform motion control (31) may be a joystick, trackball, touchpad, or any other suitable device, all of which whose response speed is directly proportional to the user's (selectable) operational speed (speed at which the user operates the motion control).

39. As for **Claims 26 and 41**, Viney et al. disclose, as stated in column 5 (lines 64 – 67), wherein the at least one of iris, zoom, and focus controller (32) further comprises a corresponding fine adjustment controller.

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40. As for **Claims 27 and 42**, Viney et al. disclose, as shown in figure 3, wherein the remote control (3) further comprises an independent power source (26).

41. As for **Claims 28 and 43**, Viney et al. disclose, as shown in figure 3, wherein the independent power source (26) further comprises one or more batteries (26).

42. As for **Claims 29 and 44**, Viney et al. disclose, as shown in figure 3 and as stated column 5 (lines 34 – 43), wherein the video display further comprises a video monitor.

43. As for **Claims 30 and 45**, Viney et al. disclose a video display (20); however, Viney et al. do not disclose wherein the video display (20) comprises a television tuner.

Therefore, Official Notice (MPEP § 2144.03) is taken that both the concepts and advantages of providing a video display comprising a television tuner are well known and expected in the art. At the time the invention was made, it would have been obvious to one with ordinary skill in the art to have included a video display comprising a television tuner in the remote control device of Viney et al. for the advantage providing entertainment to the remote control operator when the imaging device is not in use.

44. As for **Claims 31 and 46**, Viney et al. disclose, as shown in figures 3 and 4 and as stated in column 6 (lines 44 – 67), wherein the remote control (3) further comprises a programming display (20) and control. The display (20) serves as a video display for displaying received images and as a control display for adjusting the field of view.

45. As for **Claims 32 and 47**, Viney et al. disclose, as stated in columns 4 (lines 5 – 10) and 7 (lines 26 – 28), an on-board communication package (22 and 23) allowing interaction between a remote control operator (at 3) and other personnel (at 1). As stated, a user may be at the

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imaging platform adjusting the imaging device and a user may be at the remote control operating the imaging platform.

46. As for **Claims 33 and 48**, Viney et al. disclose, as shown in figure 3 and as stated in column 5 (lines 18 – 26), wherein the remote control further comprises a wireless connection to at least one of the imaging device (11) or imaging platform (1).

Conclusion

47. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

48. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 571.272.7313. The Examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM.

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If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Vivek Srivastava can be reached on 571.272.7304. The fax phone number for the organization where this application or proceeding is assigned is 571.273.3000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM
December 15, 2006



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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600